

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:15-CR-30-TAV-CCS-14
)	
DAVID DAVIS,)	
)	
Defendant.)	

ORDER

This criminal case is before the Court on the government's Motion to Dismiss [Doc. 138]. The government moves the Court to enter an order dismissing the defendant, without prejudice, from the first superseding indictment filed in this matter on November 3, 2015 [Doc. 80]. In support, the government states that the defendant has signed a plea agreement as to the indictment in case number 3:15-CR-34 [Doc. 27]. The charges in 3:15-CR-34 and the first superseding indictment in this case, as to the defendant, are substantively duplicative. The Court is informed that in light of the filing of the defendant's plea agreement in 3:15-CR-34, the government will no longer pursue prosecution of the defendant under the first superseding indictment in this case.

Having reviewed the government's motion and Rule 48(a), the Court hereby **GRANTS** the government's motion [Doc. 138] and **DISMISSES without prejudice** the defendant, David Davis, from the first superseding indictment [Doc. 80].

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE